



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 09 2004

TECH CENTER 1600/2900

Applicant(s): Friddle *et al.*

Group Art Unit: 1647

Application No.: 09/940,919

Examiner: S. Wegert

Filed: 08/28/2001

Atty. Docket No.: LEX-0228-USA

Title: Novel Human GABA Transporter Protein and
Polynucleotides Encoding the Same

AMENDMENT; AND RESPONSE TO RESTRICTION REQUIREMENT
DATED NOVEMBER 20, 2003

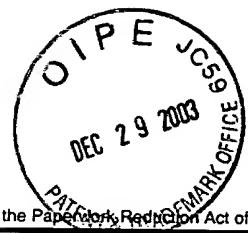
Commissioner for Patents
Alexandria, VA 22313

Sir:

The Examiner is respectfully requested to enter the following amendments. A response to the Restriction Requirement dated November 20, 2003 (hereafter "the Requirement") is also included herewith, and the Examiner is respectfully requested to consider the remarks therein.

The response is due on December 20, 2003, which falls on a Saturday and is therefore extended until Monday, December 22, 2003 under 37 C.F.R. § 1.7. The response is thus timely filed, and Applicants believe no fees are due in connection with this response. However, the Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-0892.

01/06/2004 SSESHE1 0000010 500892 09940919
01 FC:2201 43.00 DA



1647 \$

PTO/SB/21 (01-03)

Approval for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/940,919
Filing Date	Aug 28, 2001
First Named Inventor	Friddle, Carl Johan
Art Unit	1647
Examiner Name	S. Wegert
Total Number of Pages in This Submission	7
Attorney Docket Number	LEX-0228-USA

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JAN 09 2004

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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (Original & Copy)	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	- Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Return to Restriction Requirement
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

Customer # 24231

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Lexicon Genetics Incorporated	
	Lance K. Ishimoto	Reg. No. 41,866
Signature	<i>Lance K. Ishimoto by David W. Abeler</i> DAVID W. ABELER REG. NO. 41,071	
Date	December 19, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

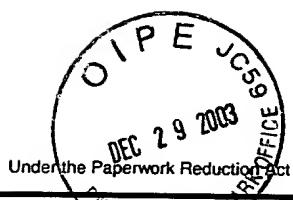
USPTO, PO Box 1450, Alexandria, VA 22313-1450 on this date:

December 19, 2003

Typed or printed	Michelle Klein		
Signature	<i>Michelle Klein</i>	Date	December 19, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents. Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 43.00)

Complete if Known	
Application Number	09/940,919
Filing Date	8/28/2001
First Named Inventor	Friddle et al.
Examiner Name	S. Wegert
Art Unit	1647

Attorney Docket No. LEX-0228-USA

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order Other None

 Deposit Account

Deposit Account Number 50-0892
Deposit Account Name Lexicon Genetics Incorporated

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1001	750	2001	375
1002	330	2002	165
1003	520	2003	260
1004	750	2004	375
1005	160	2005	80

SUBTOTAL (1) (\$ 43.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Independent	-3**=	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent						<input type="text"/>

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1202	18	2202	9
1201	84	2201	42
1203	280	2203	140
1204	84	2204	42
1205	18	2205	9

SUBTOTAL (2) (\$ 43.00)

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840**	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	410	2252	205	Extension for reply within second month
1253	930	2253	465	Extension for reply within third month
1254	1,450	2254	725	Extension for reply within fourth month
1255	1,970	2255	985	Extension for reply within fifth month
1401	320	2401	160	Notice of Appeal
1402	320	2402	160	Filing a brief in support of an appeal
1403	280	2403	140	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,300	2453	650	Petition to revive - unintentional
1501	1,300	2501	650	Utility issue fee (or reissue)
1502	470	2502	235	Design issue fee
1503	630	2503	315	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (list number of properties)
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	750	2801	375	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____		(3)		SUBTOTAL (3) (\$)
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$)

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866	Telephone	281-863-3333
Signature	Lance K. Ishimoto by David W. Hobson DAVID W. HOBSON REG. NO. 41,071	Date	Dec 19, 2003		